

AMENDED

Serial No. 25673

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUN 23 1970

Returned to applicant for correction AUG 14 1970

Corrected application filed

Map filed OCT 13 1970

The applicant Charles B. Thornton & Roy L. Ash
% Chilton Engineering
of 421 Court, County of Elko,

State of Nevada, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) A Co-partnership

Charles B. Thornton & Roy L. Ash

1. The source of the proposed appropriation is Rock Creek
Name of stream, lake or other source.

2. The amount of water applied for is 350 c.f.s. second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet acre-feet

3. The water to be used for irrigation
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 25,760 acres

(b) Stockwater (state number and kinds of animals to be watered)

(c) Other use (describe fully under "No. 11. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: SE 1/4 Sec. 17, T. 34N.

R48E, MDM at a point from which the SE corner of said Section

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

17 bears S 21° 16' E 573 feet
it should be stated.

6. Place of use See attached list
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Month Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Earth fill dam and head gate structure, irrigation ditches and laterals
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works, \$5,000.00

10. Estimated time required to construct works, 1 year

Please send copies of all notices and correspondence to: T. Lazy S Ranch, Box 232, Battle Mountain, Nev., 89820. The purpose of this application is to file on waters of Rock Creek deemed (declared) surplus by the State and to extend the irrigation season of said water to 12 months as indicated above; waters appropriated under this application are to be co-mingled with valid & existing water rights appurtenant to these lands. That applicants are one of the protestants to the storage applications of the Fair and Recreation Board, #24880, #24881, #24882 & #25036, which application were granted on May 20, 1970 by order of the State Engineer, based upon the ruling that there is surplus water not appropriated in the Humboldt River & its tributaries. That applicants have appealed the order of the State Engineer. That this application is not an admission by applicants that the aforesaid order of the State Engineer is correct, but is made to protect applicants' property rights and water rights in event the said Order of the State Engineer is sustained.

Applicant Charles B. Thornton & Roy L. Ash By S/ Mark Chilton
Agent
Compared jn/bk 421 Court, Elko, Nevada 89801
Denied 6/25/74, Ruling 1980

DENIAL OF STATE ENGINEER deny

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ the same, subject to the following limitations and conditions:

on the grounds that when there are sufficient quantities of water available to satisfy existing rights, the portion of the place of use under the application which has appurtenant water rights has an adequate water supply; further, on the grounds that there is insufficient water available in quantity, duration, and frequency on a direct diversion basis to adequately serve and therefore provide a beneficial use on those portions of the place of use that do not have an existing water right.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed _____ cubic feet per second.

Actual construction work shall begin on or before _____

Proof of commencement of work shall be filed before _____

Work must be prosecuted with reasonable diligence and be completed on or before _____

Proof of completion of work shall be filed before _____

Application of water to beneficial use shall be made on or before _____

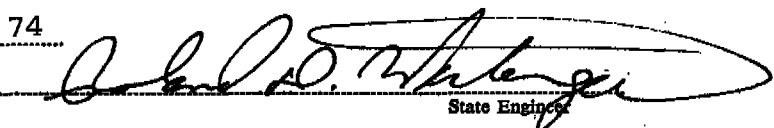
Proof of the application of water to beneficial use shall be filed on or before _____

Map in support of proof of beneficial use shall be filed on or before _____

Commencement of work filed _____
Completion of work filed _____
Proof of beneficial use filed _____
Cultural map filed _____
Certificate No. _____ Issued _____
Recorded _____ Bk _____ Page _____
County Recorder

IN TESTIMONY WHEREOF, I Roland D. Westergard
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 25th day of June

A.D. 19 74


State Engineer

Section	Subdivision	Township	Range	Acres
1	A11	33	47	640
2	A11			640
3	SE $\frac{1}{4}$			160
9	NE $\frac{1}{4}$ NE $\frac{1}{4}$			40
9	SW $\frac{1}{4}$ NE $\frac{1}{4}$			40
9	SE $\frac{1}{4}$ NE $\frac{1}{4}$			40
9	SE $\frac{1}{4}$			160
9	NE $\frac{1}{4}$ S $\frac{1}{4}$			40
9	S $\frac{1}{4}$ SW $\frac{1}{4}$			40
9	SE $\frac{1}{4}$ SW $\frac{1}{4}$			40
10	A11			640
11	A11			640
12	A11			640
13	A11			640
14	A11			640
15	A11			640
16	A11			640
17	S $\frac{1}{2}$			320
17	SE $\frac{1}{4}$ NE $\frac{1}{4}$			40
18	NE $\frac{1}{4}$ SE $\frac{1}{4}$			40
18	SW $\frac{1}{4}$ SE $\frac{1}{4}$			40
18	SE $\frac{1}{4}$ SE $\frac{1}{4}$			40
19	NE $\frac{1}{4}$			160
19	S $\frac{1}{2}$			320
20	A11	33	47	640

Section	Subdivision	Township	Range	Acres
25	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33	46	40
25	SW $\frac{1}{4}$ NE $\frac{1}{4}$	33	46	40
25	SE $\frac{1}{4}$ NE $\frac{1}{4}$	33	46	40
25	SE $\frac{1}{4}$	33	46	160
25	NE $\frac{1}{4}$ SW $\frac{1}{4}$	33	46	40
36	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33	46	40
36	SE $\frac{1}{4}$ NE $\frac{1}{4}$	33	46	40

RECORDS SECTION

RECORDS SECTION
CHARGE



Section	Subdivision	Township	Range	Acres
25	SE $\frac{1}{4}$	34	47	160
35	SE $\frac{1}{4}$	34	47	160
36	A11	34	47	640
4	W $\frac{1}{2}$	33	48	320
5	A11	33	48	640
6	A11	33	48	640
7	A11	33	48	640
8	A11	33	48	640
9	W $\frac{1}{2}$	33	48	320
16	NW $\frac{1}{4}$	33	48	160
17	A11	33	48	640
18	A11	33	48	640
19	N $\frac{1}{2}$	33	48	320
19	N $\frac{1}{2}$ S $\frac{1}{2}$	33	48	160
20	N $\frac{1}{2}$	33	48	320
20	N $\frac{1}{2}$ S $\frac{1}{2}$	33	48	160
19	SE $\frac{1}{4}$	34	48	160
20	A11	34	48	640
21	W $\frac{1}{2}$	34	48	320
28	W $\frac{1}{2}$	34	48	320
29	A11	34	48	640
30	A11	34	48	640
31	A11	34	48	640
32	A11	34	48	640
33	W $\frac{1}{2}$	34	48	320



